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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

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U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST DIV. CINCINNATI

DENNIS ALLEN, MARY JANE  
CRACRAFT, LELAN LITTRELL and  
GLASS, MOLDERS, POTTERY, PLASTIC  
AND ALLIED INDUSTRIAL WORKERS,  
LOCAL NO. 41, AFL-CIO,

Plaintiffs,

vs.

LEONARD D. KRISTAL, and JOHN L.  
CRARY,

Defendants.

Case No: C-1-01-159

Judge Herman J. Weber  
Magistrate Judge Timothy S. Hogan

DECLARATION OF JENNIFER CHEN IN  
SUPPORT OF DEFENDANT JOHN L.  
CRARY'S OPPOSITION TO THIRD-  
PARTY DEFENDANT SHIRLEY  
MONROE'S MOTION FOR SUMMARY  
JUDGMENT

JOHN L. CRARY,

Cross-Claimant,

vs.

LEONARD D. KRISTAL,

Cross-Defendant.

JOHN L. CRARY,

Third-Party Plaintiff,

vs.

SHIRLEY MONROE, SHIRLEY MONROE,  
JAMES THELAN,

Third-Party Defendants

1 I, Jennifer Chen, declare as follows:

2 1. I am an attorney duly licensed to practice before all courts of the State of California,  
3 the Federal District Court for the Northern District of California and the Federal Court of Appeals  
4 for the Ninth Circuit and have been admitted *Pro Hac Vice* in this matter.

5 2. I am an attorney practicing with The Corporate Law Group, co-counsel of record for  
6 defendant, cross-claimant and third-party plaintiff John L. Crary in this matter.

7 3. I submit this declaration in support of John L. Crary's Opposition to Third-Party  
8 Defendant Shirley Monroe's Motion for Summary Judgment. The matters stated herein are known  
9 to me personally, and if called and sworn as a witness I could competently testify thereto. As to  
10 those matters stated herein on information and belief, I have been informed and believe the same  
11 to be true and upon that basis declare them to be true.

12 4. Attached hereto as Exhibit A is a true and correct copy of pages 15, 37, 38 and 87 of  
13 the deposition transcript for the deposition of Shirley A. Monroe conducted by plaintiffs' counsel  
14 on April 24, 2002 ("Monroe's First Deposition Transcript").

15 5. Attached hereto as Exhibit B is a true and correct copy of Great-West online health  
16 plan order form, and page 39 of Monroe's First Deposition Transcript.

17 6. Attached hereto as Exhibit C is a true and correct copy of page 34 of Monroe's First  
18 Deposition Transcript.

19 7. Attached hereto as Exhibit D is a true and correct copy of page 12 of the deposition  
20 transcript for the deposition of Shirley A. Monroe on August 27, 2003 ("Monroe's Second  
21 Deposition Transcript").

22 8. Attached hereto as Exhibit E is a true and correct copy of page 74 of Monroe's  
23 Second Deposition Transcript.

24 9. Attached hereto as Exhibit F is a true and correct copy of pages 20 and 21 of  
25 Monroe's Second Deposition Transcript.

26 10. Attached hereto as Exhibit G is a true and correct copy of page 18 of Monroe's  
27 Second Deposition Transcript.

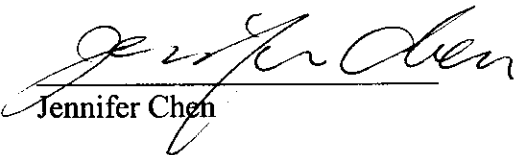
1 11. Attached hereto as Exhibit H is a true and correct copy of page 10 of Monroe's First  
2 Deposition Transcript, and page 18 of Monroe's Second Deposition Transcript.

3 12. Attached hereto as Exhibit I is a true and correct copy of pages 50 and 51 of  
4 Monroe's First Deposition Transcript.

5 13. Attached hereto as Exhibit J is a true and correct copy of page 48 of Monroe's First  
6 Deposition Transcript.

7 14. Attached hereto as Exhibit K is a true and correct copy of page 36 of Monroe's  
8 Second Deposition Transcript.

9 I declare under penalty of perjury under the Laws of the United States of America that the  
10 foregoing is true and correct, and that this declaration was executed on November 25, 2003 at  
11 Burlingame, California.

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15 Jennifer Chen  
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